

The A. F. of L. Weekly News Service gives a brief summary of important matters of interest occurring in the industrial, legislative and judicial fields. It contains other information that will benefit the trade union movement.

THE WEEKLY NEWS SERVICE

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WASHINGTON, D. C., SATURDAY, JULY 31, 1926.

Whoever knew Truth put to the worse in a free and open encounter?—Millon.

WHOLE NO. 799.

EQUITY COURTS CAN'T ENFORCE CRIMINAL LAW

Sitting as a court of equity, Common Pleas Judge Thomas D. Finletter refused to enjoin the Philadelphia Sequesterment of the American Federation of Labor. The plaintiffs claimed that the exploitation management was violating criminal law.

"This is a court of equity," said Judge Finletter. "If the law is being violated, it is up to police officials to enforce it, and it is up to the law needs strengthening that is a matter for the State Legislature. The courts' power is not to enforce the law."

It accords with the purposes and limitations of equity courts, that have been clearly defined for hundreds of years.

From its inception, nearly half a century ago, the American Federation of Labor has urged the position held by

Judge Finletter—that equity can not apply in criminal cases, or where the plaintiff has other remedies.

Times without number organized labor has insisted that if workers violate the law, they are in a better position to sue for police officers and not for the equity judge and his star chamber methods.

But workers' opponents refuse to disavow the issue from the standpoint of principle.

Employers and their judicial agents know the application of criminal law in times of industrial disputes does not serve their purpose. It is too slow.

Strikes can not be smashed quickly when workers are assumed to be innocent until proven guilty—as is every other person, even though he has a long and mean criminal record.

To accord strikers their Constitutional guarantees, as Judge Finletter insists

the exploitation management is entitled to, is not a strike-breaking device. The function serves that of a labor law.

Under the labor injunction, the judge orders sweeping arrests and compels the accused to prove to the satisfaction of the judge that they should not be fined or jailed. This reverses the theory of American jurisprudence—that the state, and not the accused, must prove guilt.

"But if the workers violate no law, why should they object to the injunction?" defenders of this writ ask, with an air of simplicity and innocence.

They well know that workers are enjoined from doing acts that are legal in the eyes of the law. The purpose of the injunction judge calls these acts "violation of law." But they could not stand the test if workers were accorded Constitutional rights.

The labor injunction is so glaringly

unjust that its defenders make no serious attempt to defend it. They confuse the issue by shouting that "workers seek license to violate law."

It is the injunction judge who practices anarchy. He ignores constitutional guarantees that all men are equal before the law.

His claim that property is endangered to the strike—shows a net loss to the strike—has no defense. The law provides for the protection of property. To harm property is a violation of criminal law. This can be punished in criminal courts, as Judge Finletter points out.

Let those who discuss the present country-wide tendency to ignore law, the police judges of justice sit as courts of equity in strike times.

Let them study how the injunction judge is a factor in undermining a self-governing people.

DICTATOR'S SHADOW GROWS; CHALLENGE TO DEMOCRACY

Minneapolis, July 31.—"Are we in the twilight of democracy?" asks the Minneapolis Tribune in a leading editorial on recent tendencies in government.

"When the war came and thrones crumbled, it was said to be the twilight of the kings. Now the pendulum swings the other way."

"In Italy, Russia, Spain, Portugal and Greece are dictatorships. In France and Belgium loud voices are raised for dictatorships."

"From industrial and financial despots come the courts of democracy have dictatorships to save business and credit." From working classes in some countries arise the cry, "We must have dictatorships to save the workers' liberties." Both are a threat to democracy.

"We find the echo in America in campaigns for city manager governments and the non-union shop. It is not a threat to state manager or dictatorship, as Governor Christianson's reorganization scheme is proving, nor

from that to a national manager or dictatorship.

"It was the opinion of Bryce, author of 'The American Commonwealth,' that a swing toward monarchy would be a disaster through the people in democracies, while becoming less themselves, demanding that things be done and carried out, how, so long as they were accomplished."

"The shadow of dictatorship over Europe, democracy faces a severe test. It is a time when officials and citizens of democracy are being tested by the effort to make democracies function."

"The trade union is the germ of democracy in industry. It should be nurtured and guarded as never before. For the dictatorship in industry is casting a black shadow over democratic forms of government."

"It is time when every trade unionist should be alert to the benefits of organization and take the deepest interest in the union."

"Upon the trade unions will rest the burden of preventing a swing back to despotism and the loss of liberties gained in many years of progress."

1925 WAS PEAK YEAR; PRODUCTION GAINS

Washington, July 31.—Industrial and commercial activity in the United States during 1925 "reached the highest levels ever known," according to the Bureau of Economic Warfare, U. S. Department of Commerce Year Book.

The most impressive fact in the statistics of the year is the increase in industry, it is stated.

"Recent year-end calculations indicate that whereas the number of wage earners in our factories increased by at least 600,000 between 1914 and 1925, the output per man in the same period was increased by at least 50 per cent."

The principal immediate factors contributing to the efficiency of the wage earners themselves, improved management, more scientific methods and waste elimination and greater use of capital as an aid to human effort."

HERRIOT DIDN'T QUIT; CHEAP WAGE SYSTEM

Paris, France, July 22.—The Herriot government, formed after the resignation of President Doumergue, was a financial dictator—was the shortest-lived since the war. He lasted two months, from June 1925 to the first test and he resigned.

Raymond Poincare, war-time president of France, accepted a cabinet post in the government to form a cabinet and take charge of the government. This is the new premier's third attempt since 1922 to guide France through its troubles. He is the sixteenth government since M. Clemenceau took office in November, 1917. The new cabinet includes M. Herriot and five other former premiers.

The cabinet's first act was to cancel the debt of 100,000,000 francs which was the reason for the dissolution of the numerous French cabinets.

Recent figures show that the total national debt is 350,000,000,000 francs. This equals the combined wealth of the French people.

"The new cabinet, Socialists and small land owners favor a capital levy—a tax on the capitalization of corporations. This is the only way to raise the capital levy, it is claimed, can not be passed on to the ultimate consumer."

LONG STRIKE COSTLY TO WAGE CUTTING FIRM

New York, July 31.—Wall Street reports show that wage reduction efforts of the American Thread Company, a Willimantic, Conn., is a costly venture.

The company's financial statement—which makes no reference to the strike—shows a net loss of \$552,729 for the year ended March 31, 1926.

As compared with this loss, the company made a profit of \$1,017,325 in 1925. Profits in 1924 were \$1,051,544, and in 1923 totaled \$2,113,025.

Not satisfied with these returns, the company announced a 10 per cent wage cut a year ago last June. More than 2,500 employees suspended work. They are still out, despite every effort by injunction judges, Cossacks and other strikebreaking devices to drive them back to the mills. The workers are aided by the United Textile Workers of America.

BRITISH COAL MINERS REJECT OWNERS' PLAN

London, England, July 22.—The eight-hour amendment to the miners' seven-hour law has failed to accomplish its purpose. The miners refuse to accept the additional hour and end the strike. Suffering is general in the strike areas.

Coal mined under the seven-hour system exceeded requirements, but the coal owners claim that the extra hour is a right to meet this competition is to eliminate waste and reduce useless and excessive charges. Two coal companies, approved by the government, opposed longer hours and recommended that the industry be reorganized. The other strikebreaking devices to drive them back to the mills. The workers are aided by the United Textile Workers of America.

DAUGHTERY ON TRIAL; FACES GRAFT CHARGES

New York, July 31.—Harry M. Daugherty, former attorney general, will appear on trial September 1 in Federal Judge Mack's court on charges of conspiracy in connection with the American Metals Company scandal.

The company, now an American concern, was owned largely by German citizens, who resided in Germany. When the United States entered the war the property was seized because it was owned by alien enemies. After the war it was turned over to a corporation that was "a blind," it was charged, for the purpose of evading the law.

The Daugherty indictment alleges that when the property was turned over to the Swiss corporation in New York, one of the German owners, John T. King, resident of New York, Connecticut, who has since died, \$381,000 in Liberty Bonds was sold and charged that the transfer of these bonds was made in the presence of Thomas W. Miller, Daugherty's confidential adviser, who later committed suicide in the "Madison Green" house in New York.

The Daugherty indictment alleges that the Liberty Bonds were sold in a conspiracy to put through the claim of the Swiss company, and that this conspiracy prevented the Federal government from receiving the proceeds of the bonds.

The case has no reference to the legality of the Swiss transfer, and only relates to the method of obtaining the signatures of the attorney general and the alien property custodian for the transfer.

DISCORD BREEDERS EXPOSED IN CHICAGO

Chicago, July 31.—The handful of communist dissemblers in the Federation of Labor made a mess of things when they accused officers of failing to aid strikers who were illegal.

In refuting the charge, President Fitzpatrick said the accusers are merely agents of the Workers' (Communist) Party who come to the meetings for disruptive purposes.

"From this time on until they have been expelled from the union, they are not here as agents of the communists, they will be expelled from the union," said the Federation. It has done what it can to help the strikers and the jailed pickets.

"The Federation actually secured the pardon of 19 of these strikers, Attorney General Cleggman advised Governor Small that, according to law, he had no right to issue pardons for these cases. He refused to submit this opinion in documentary form. When we tried to pin him down to facts, he was evasive and would only use the telephone as a means of communication."

"These people (communists) are here waiting for an opportunity to offer propositions, generally in relation to the strike, and they are not to be taken into consideration with the principles of the federation. If they are denied the floor—a denial because of tactics and propaganda and the alien property custodian for the transfer."

BRITISH DUAL UNIONS WARNED; DIVISIONS ONLY AID EMPLOYER

London, England, July 22.—Officers of the British Trade Union Congress warn workers against the formation of a "union," a scheme British employers have copied from America.

The American, acting secretary of the B. T. U. C. said the threat of a dual union is a danger to the workers. He said that the formation of a dual union, which is a union of the workers, divided efforts and much friction and conflict which only aid the employer in the industry of the trade union movement as a whole."

"The B. T. U. C. appeals strongly to the workers to resist the formation of a dual union."

CHINESE USE BOYCOTT WITH DEADLY EFFECT

New York, July 31.—Chinese use the economic boycott with deadly effect against nations that oppress them.

K. Edmunds, protest of Johns Hopkins University, and for 20 years a member of the Chinese boycott committee.

The Chinese have been stripped of their rights as a nation and are compelled to accept the laws of the land and to enforce criminal law against foreigners, who are tried by the Chinese courts in China for the violation of Chinese law.

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STRIKERS ENJOINED TO KEEP WAGES DOWN

New York, July 31.—At the request of a mutual aid society, a restraining injunction has been issued against 40,000 striking glass and window makers, who are demanding a 10 per cent wage increase.

"It is no secret," said President Sigman of the union, "that the union is a cat's paw for manufacturers."

The union is striking against a vicious manufacturing system that establishes the employer as a law unto himself. The union is striking against a vicious manufacturing system that establishes the employer as a law unto himself.

MILLIONS ARE LOST TO KEEP WAGES DOWN

New York, July 31.—Refusal of the Interborough Rapid Transit Company to grant a 10 per cent wage increase to its employees is an expensive policy.

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NO VACATION DECISION HARMFUL TO EMPLOYEES

Washington, July 31.—The National Federation of Federal Employees is protesting against Comptroller General McCarley's decision that annual leave for federal employees is not a right to permanent government workers.

A statement by Acting President John D. McNally points out that the law provides: "The head of any department may grant 30 days' annual leave with pay any one year to each clerk or employee."

"From this," said Miss McNally, "it appears that permanent employees are entitled to 30 days' annual leave at the rate of two and one-half days for each year of employment."

CITY-PAID ENGINEERS VOTE TO JOIN UNION

New York, July 31.—Engineering employees of this city voted at a mass meeting to affiliate with the A. F. of L. They will join a local unit of the International Federation of Professional Engineers, Architects and Draftsmen's Unions. More than 1,000 other city employees voted to join the union.

The union was addressed by Hugh Frayne, A. F. of L. representative, and C. L. Rosemond, president of the International Federation of Professional Engineers.

FOUR-HOUR REDUCTION IN FERRYMEN'S HOURS

San Francisco, July 31.—The Key State Transit Company has announced that it will reduce the ferrymen's Union and abolished the 15-hour day. The eight-hour workday will be in effect on Sunday.

The union is composed of deck hands and firemen on the ferries. The union is composed of deck hands and firemen on the ferries.

SEES BAKERY HOP-UP

Buffalo, N. Y., July 31.—In an address before the State Association of Bakers, the National Union of Bakers, the president of the union said that the bakery industry was in a hop-up.

The union is composed of bakers and bakery workers. The union is composed of bakers and bakery workers.

FEDERAL RATE BOARD AIDS NON-UNION MINES

Indianapolis, July 31.—Officers of the United Mine Workers are objecting to freight rate policies of the Interstate Commerce Commission. The rates favor anti-union coal from the West, Virginia, Kentucky and Virginia fields, and is aiding anti-union operators in driving union coal out of some of the nation's best markets. Much of the coal stagnation in the West is due to this.

The union is composed of miners and coal workers. The union is composed of miners and coal workers.

WORLD AID COMING WITH FEDERAL AUTHORITY. San Francisco, July 31.—Col. Neil M. Green, prohibition officer in charge of the federal office at Washington, has been ordered by Treasury officials at Washington to make a connection with the prohibition office in the city.